

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
Lori Ludlam and Kevin Ludlam,)	
)	
<u>Plaintiffs,</u>)	
)	
v.)	Civil Action No. 11-11903-LTS
)	
Marlborough Public Schools,)	
)	
<u>Defendant.</u>)	
_____)	

ORDER FOR REASSIGNMENT AND
REPORT AND RECOMMENDATION

September 11, 2012

SOROKIN, C.M.J.

Plaintiffs Lori and Kevin Ludlam brought this action against the Marlborough Public Schools under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, and the Americans with Disabilities Act, 42 U.S.C. § 12101, on October 26, 2011 (Docket # 1). Thereafter, the case was assigned to the undersigned Magistrate Judge (Docket # 3). After the Court denied their application to proceed in forma pauperis (Docket # 4), the Plaintiffs paid the required filing fee. In March 2012, the Court directed the Plaintiffs to serve the Defendant (Docket # 7), and summons were issued (Docket # 8, 9).

On July 11, 2012, when more than 120 days had passed and no proof of service had been filed, the Court issued an Order stating the action would be dismissed unless, within twenty days, the Plaintiffs either filed proof of service, or made a showing of good cause for their failure to do so (Docket # 10). The Plaintiffs have done neither, and the time for doing so has long passed.

Accordingly, it is ORDERED that the Clerk shall reassign this case to a District Judge, as

*Report and Recommendation accepted and
adopted. S/Morton, USDJ 11/9/12*